

## **DRAFT MINUTES**

### **VIRGINIA MANUFACTURED HOUSING BOARD MEETING**

**Department of Housing and Community Development  
VHC Conference Center  
4224 Cox Road  
Henrico Room 2  
Glen Allen, VA 23060  
March 17, 2011**

**10:00 A.M.**

**Board Members Present :** James W. Roncaglione, Chairman  
Walter K. Hughes, Sr., Vice Chairman  
William H. Moody  
Earl T. (Tom) Satterwhite  
Eric C. Anderson  
Ben Flores  
Gina M. Burgin  
Jim Carver  
Lorenzo E. Dyer, Secretary to the Board

**Board Members Absent :** Michael C. Nickell

|                                |                |                      |
|--------------------------------|----------------|----------------------|
| <b>Public Representation :</b> | Tyler Craddock | <u>Staff</u>         |
|                                | Ralston King   | Clinton Wallace      |
|                                |                | Debra Winston-Bowles |
|                                |                | Valrae Negley        |
|                                |                | Jim Davidson         |
|                                |                | Eric Leatherby       |
|                                |                | Elizabeth Peay       |

#### **A. Call to Order/Roll/Determination of a Quorum.**

The Virginia Manufactured Housing Board meeting was held in Richmond, Virginia, Thursday, March 17, 2011. Chairman Roncaglione called the meeting to order at 10:00 a.m. Lorenzo Dyer, Secretary to the Board, performed the roll call and a quorum was present.

#### **B. Approval of the Minutes.**

Notice to Board Members: Minutes are a record of what was done at a meeting and not a record of what was said at a meeting.

A motion was made by Ben Flores to accept the minutes from the Board's meeting of December 2, 2010. William H. Moody seconded the motion, and the Minutes were accepted as written by a unanimous vote.

A motion was made by Ben Flores to accept the minutes from the Board's meeting of January 20, 2011. Earl T. Satterwhite seconded the motion, and the Minutes were accepted as written by a unanimous vote.

**C. Public Comment.**

None.

**D. Committee Reports.**

1. Educational Program Committee.

A report of the Educational Program Committee was presented to the Board concerning the directions in the development of PSA's for public announcements of the Virginia Manufactured Housing Board; and presenting information of the Board's responsibilities by educating and protecting the consumers who purchase a manufactured home.

2. Jack Proctor/Retired Former Deputy of the Division of Building & Fire Regulations of the Department of Housing and Community Development, Richmond, Virginia.

A report of the passing away of Jack Proctor and funeral services was announced.

3. Virginia Manufactured Housing Board Committee Telephone Conference.

A report was presented of the Committee Telephone Conference that was held on February 21, 2011 concerning developing policies and procedures for the Board and staff. A decision was made by the Committee to present the information gathered and a recommendation will be presented to the full board at a later date.

**E. Report of the Secretary/Associated Director/Deputy Director Reports.**

1. Manufactured Housing Consensus Committee Meeting (A Guiding Authority).

This report comes from HUD which consists of updating and improving the manufactured housing federal construction standards on a regular basis with other code enforcement regulations. The Department of Energy has been assigned to develop the energy provisions of the Federal Manufactured Housing Regulations. Tentative effective date for public comments is December 2011; adoption for the regulation's tentative year is 2012. Those regulations will be incorporated into the HUD Regulations.

The Manufactured Housing Installation Class was held on March 16, 2011 with 23 participants. The next class will be held in June 2011.

As of today, the Transaction Recovery Fund Regulations has not been approved by the Governor's Office. New books for the Regulation will be printed once the Governor's Office approves the new regulations.

Agenda Packages – Staff will continue to provide all information that's relevant to a case in the board packages.

#### F. Old Business

##### 1. Informal Fact-Finding Conference (IFF) – Case Number 2010-23, Antonio and Leticia Castro v Virginia Mobile Home, Inc. (Disciplinary).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

A motion was made by Walter K. Hughes, Sr. that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1 and Jim Carver seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

A motion was made by Walter K. Hughes, Sr. that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) on Count 2 and Earl T. Satterwhite seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

A motion was made by Jim Carver that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

A motion was made by Eric C. Anderson that Virginia Mobile Homes, Inc. having been found in violation of 13-VAC 6-20-170 (22) on Count 1 and accepts staff's recommendation to be assessed a monetary penalty of \$500.

On Count 2, Virginia Mobile Homes, Inc. having been found in violation of 13-VAC 6-20-170 (7) and accepts staff's recommendation to be assessed a monetary penalty of \$250.

On Count 3, Virginia Mobile Homes, Inc. having been found in violation of 13 VAC 6-20-170 (21) and accepts staff's recommendation to be assessed a monetary penalty of \$250 and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

##### 2. Informal Fact-Finding Conference - Case Number 2010-31, Antonio and Leticia Castro v Virginia Mobile Homes, Inc. (Transaction).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Jim Carver made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (7) on Count 1 and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

Walter K. Hughes, Sr. made a motion that on Count 1 of 13 VAC 6-20-170 (A) (7) to accept staff's recommendation to be assessed a monetary penalty of \$1,968.10 to Antonio and Leticia Castro and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

3. Informal Fact-Finding Conference – Case 2010-19, Jocelyn and Neville Connolly v Virginia Mobile Homes, Inc. (Disciplinary).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) on Count 2.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 and Walter K. Hughes, Sr. seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1 and accepts staff's recommendation to be assessed a monetary penalty of \$500.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) on Count 2 and accepts staff's recommendation to be assessed a monetary penalty of \$250.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (21) and accepts staff's recommendation to be assessed a monetary penalty of \$250 and Walter K. Hughes, Sr. seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

4. Informal Fact-Finding Conference – Case 2010-30 Jocelyn and Neville Connolly v Virginia Mobile Homes, Inc. (Transaction).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that on Count 1, Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) to accept staff's recommendation to be assessed a monetary penalty of \$2,503.00 to the Jocelyn and Neville Connolly's and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

5. Informal Fact-Finding Conference – Case Number 2010-24, Jorge and Rebecca Romero v Virginia Mobile Home, Inc. (Disciplinary).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) on Count 2.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 and Earl T. Satterwhite seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1 and accepts staff's recommendation to be assessed a monetary penalty of \$500.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (7) on Count 2 and accepts staff's recommendation to be assessed a monetary penalty of \$250.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 and accepts staff's recommendation to be assessed a monetary penalty of \$250 and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

6. Informal Fact-Finding Conference - Case Number 2010-28, Jorge and Rebecca Romero v Virginia Mobile Home, Inc. (Transaction).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (7) and accept staff's recommendation to be assessed a monetary penalty of \$2,110.00 to the Jorge and Rebecca Romero and Earl T. Satterwhite seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

7. Informal Fact-Finding Conference – Case Number 2010-25, Martin Flores Rodriguez v Virginia Mobile Homes, Inc. (Disciplinary).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (22) on Count 1.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (7) on Count 2.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (21) on Count 3 and Earl T. Satterwhite seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (22) and accepts staff's recommendation to be assessed a monetary penalty of \$500 on Count 1.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (7) and accepts staff's recommendation to be assessed a monetary penalty of \$250 on Count 2.

Eric C. Anderson made a motion that Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (21) and accepts staff's recommendation to be assessed a monetary penalty of \$250 and Jim Carver seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

8. Informal Fact-Finding Conference – Case Number 2010-29, Martin Flores Rodriguez v Virginia Mobile Homes, Inc. (Transaction).

On November 9, 2010, an Informal Fact-Finding Conference was convened at the Department of Housing and Community Development. The Board reviewed the evidence and the summary report of the IFF.

Eric C. Anderson made a motion that on Count 1, Virginia Mobile Homes, Inc. is found in violation of 13-VAC 6-20-170 (A) (7) to accept staff's recommendation to be assessed a monetary penalty of \$2,092.00 to Martin Flores Rodriguez and Walter K. Hughes, Sr. seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

## **F. Old Business.**

### **1. Salesperson License - Sherry Moorefield.**

Eric C. Anderson made a motion to grant Sherry Moorefield a salesperson's license to sell manufactured homes and Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

After much discussion, Eric C. Anderson made a motion to table granting the salesperson license to Sherry Moorefield until the next scheduled board meeting; and, additional information was requested from Ms. Moorefield. Ben Flores seconded the motion. Chairman Roncaglione called the question and the motion was carried by six voting yes, one voting no and one abstaining.

### **2. Chantel Lynn Parish v Virginia Mobile Homes, Inc.; Case Number 2011-1 (Disciplinary)**

Based upon the evidence and the IFF, the following is recommended regarding the Counts as outlined in the Report of Findings.

Eric C. Anderson made a motion that Virginia Mobile Home, Inc. is found in violation of 13-VAC 6-20-170 (22) on Count 1.

Eric C. Anderson made a motion that Virginia Mobile Home, Inc. is found in violation of 13-VAC 6-20-170 (7) Count 2.

Eric C. Anderson made a motion that Virginia Manufactured Housing, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 and Walter K. Hughes, Sr. seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

Eric C. Anderson made a motion that Virginia Manufactured Housing, Inc. is found in violation of 13-VAC 6-20-170 (22) to accept staff's recommendation to be assessed a monetary penalty of \$500 on Count 1.

Eric C. Anderson made a motion that Virginia Manufactured Housing, Inc. is found in violation of 13-VAC 6-20-170 (7) to accept staff's recommendation to be assessed a monetary penalty of \$250 on Count 2.

Eric C. Anderson made a motion that Virginia Manufactured Housing, Inc. is found in violation of 13-VAC 6-20-170 (21) on Count 3 to accept staff's recommendation to be assessed a monetary penalty of \$250. Jim Carver seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

### **3. Chantel Lynn Parish v Virginia Mobile Homes, Inc.; Case Number 2011-2 (Transaction)**

Based upon the evidence and the IFF, the following is recommended regarding the Counts as outlined in the Report of Findings.

Eric C. Anderson made a motion that on Count 1, Virginia Manufactured Housing, Inc. is found in violation of 13 VAC 6-20-170 (7) to accept staff's recommendation that the regulant reimburse the buyer, the amount of \$1,908.70 to Chantel Lynn Parish. Earl T. Satterwhite seconded the motion. Chairman Roncaglione called the question and the motion was carried by a unanimous vote.

The Board requests clarification from the Office the Attorney General in writing regarding what should be included in the minutes as may relate to previous minutes; and provide instructions on how the Board should formulate its voting procedure when the vote includes multiple "Counts" that are related to a case on the agenda and is information that is made inclusive to the minutes.

#### **H. Future Meeting Date and Location.**

The next meeting date and location is scheduled for Thursday, May 19, 2011 at 10:00 a.m., VHC Conference Center, 4224 Cox Road, Henrico Room 3, Glen Allen, VA 23060.

#### **I. Adjournment.**

The Virginia Manufactured Housing Board Meeting adjourned at 12:33 p.m.